

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 925 final

Brussels, 24th December 1980

PROPOSAL FOR A COUNCIL REGULATION (EEC)

laying down certain interim measures for the conservation and management of fishery resources off the West Greenland coast applicable to vessels flying the flag of Canada or under charter to companies registered in Canada

(presented by the Commission to the Council)

COM(80) 925 final

EXPLANATORY MEMORANDUM

Consultations between Community and Canadian delegations concerning their mutual fishing rights in NAFO sub-areas 0+1 were not completed in time to permit the adoption before 31 December 1980 of a Council regulation establishing definitive arrangements for 1981 permitting vessels flying the flag of Canada or chartered to companies registered in Canada to exercise their activities in the fisheries zone of the Community.

In order to avoid an interruption in reciprocal fisheries from 1 January 1981, it is necessary for the Community to adopt interim arrangements for fisheries by Canadian vessels or vessels chartered to companies registered in Canada in the Community fisheries zone, valid from 1 January 1981 until the entry into force of definitive arrangements for 1981. The Commission considers that these definitive arrangements could enter into force on 1 April 1981. It is understood that the Canadian authorities will make interim arrangements for access to the Canadian fisheries zone by Community fishing vessels, pending the adoption of definitive arrangements for 1981. The quotas appearing in Annex I to this regulation are those discussed between the Community and Canada during their consultations on 27/28 November 1980 for the year 1981.

Under these circumstances the Commission proposes that the Council adopt an interim regulation authorizing vessels flying the flag of Canada or chartered to companies registered in Canada to fish in the Community zone from 1 January to 31 March 1981.

COUNCIL REGULATION (EEC)

laying down certain interim measures for the conservation and management of fishery resources off the West Greenland coast applicable to vessels flying the flag of Canada or under charter to companies registered in Canada

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 103
thereof,

Having regard to the proposal from the Commission,

Whereas the Community and Canada have
initialled a long-term fisheries
agreement which is to enter into
force in 1981;

Whereas delegations from the two
Parties have held consultations con-
cerning their mutual fishing alloca-
tions for 1981 in NAFO sub-areas
0 + 1;

Whereas these consultations were not
concluded in time to permit the
adoption, before 31 December 1980, of
definitive arrangements for fisheries
by Canadian vessels flying the flag
of Canada or chartered to companies
registered in Canada in the fisheries
zone of the Community in conformity
with the results of these consultations;

Whereas Council Regulation (EEC) No 1720/80 of 30 June 1980⁽¹⁾ fixing, for the year 1980, certain measures for the conservation and management of fishery resources off the West Greenland coast applicable to vessels flying the flag of Canada or under charter to companies registered in Canada expires on 31 December 1980;

Whereas, in order to avoid an interruption in mutual fishing activities by vessels of either Party in the zone of the other Party, it is necessary that the Community adopts, before 1 January 1981, interim arrangements authorising fishing in the Community fishery zone by vessels flying the flag of Canada or chartered to companies registered in Canada to continue until the entry into force of a definitive regime for 1981;

Whereas in order to comply with this date it is necessary to establish these interim arrangements on the basis of Article 103 of the Treaty ;

HAS ADOPTED THIS REGULATION:

Article 1

1. The zone to which this Regulation applies shall be the part of the fishery zone of Denmark situated

within sub-area 1 as defined by the Convention on Future Multilateral Cooperation in the North-West Atlantic Fisheries, bounded on the north by the parallel of 68°N latitude, and on the west by a line drawn parallel to and at a distance of 12 nautical miles from the base-lines from which the territorial waters of Greenland are measured.

2. The catches which vessels flying the flag of Canada or under charter to companies registered in Canada shall be authorized to take in the period

1 January to 31 March 1981 in the zone defined in paragraph 1 shall be limited to the quotas laid down in Annex I.

3. Notwithstanding paragraph 2, unavoidable by-catches of a species for which no quota is established in a zone shall be permitted within the limits fixed in the conservation measures in force in the zone concerned.

Article 2

1. Vessels fishing for the quotas established in Article 1 shall comply with the conservation and control measures and all other provisions governing fishing activities in the zones referred to in the said Article, including the reporting procedures.

2. Vessels referred to in paragraph 1 shall keep a logbook as specified in Annex II. The original of the logbook shall be kept on board the vessel. The pink and blue copies of the logbook shall be sent each month to the Commission at the latest by the last day of the month for the preceding month.

3. Vessels referred to in paragraph 1 shall transmit to the Commission, in accordance with the rules set

(1) O.J. No L 168/35

out in Annex III, the information specified in that Annex.

4. The registration letters and numbers of the vessels referred to in paragraph 1 shall be clearly marked on both sides of the bow of the vessel.

Article 3

1. Fishing shall be permitted only where a licence issued by the Commission on behalf of the Community at the request of the Canadian authorities is held on board and where the conditions set out in the licence are observed.

2. The number of licences issued in accordance with paragraph 1 shall not exceed 12.

3. When an application for a licence is submitted to the Commission, the following information shall be supplied:

- (a) name of the vessel;
- (b) registration number;
- (c) external identification letters and numbers;
- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;

- (h) call sign and radio frequency;
- (i) intended method of fishing;
- (j) intended area of fishing;
- (k) species which it is intended to fish;
- (l) period for which a licence is requested.

4. Each licence shall be valid for one vessel only. Where several vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

Article 4

Member States shall take appropriate steps, including the regular inspection of vessels, to ensure the enforcement of this Regulation.

Article 5

Where an infringement is duly established, Member States shall, without delay, inform the Commission of the name of the vessel involved and of any action which they have taken.

Article 6

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety, it shall apply until 31 March 1981 and be directly applicable in all Member States.

Done at

For the Council

The President

ANNEX I

QUOTAS

| Species | Quantity (tonnes) |
|---|----------------------|
| Greenland halibut (<i>Reinhardtius hippoglossoides</i>) | 5.000 (1) |
| Round-nose grenadier (<i>Coryphaenoides rupestris</i>) | 1.600 (1) |
| Deep-water prawn (<i>Pandalus borealis</i>) | 2.000 (2) |

- (1) To be reduced by the quantities taken outside the EEC fishery zone
(2) To be reduced by the quantities, exceeding 500 tonnes, taken outside the EEC fishery zone

ANNEX II

The following logbook shall be used when fishing within the zone referred to in Article 1.

EUROPEAN COMMUNITIES' LOGBOOK FOR NAFO SUB-AREA 1

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-------------|--|--|--|-------------------------|--|--|--|---------------------|--|--|--|------|--|--|---------------------|--|--|------|--|--|----------|--|-----------|--|------------------|--|
| Vessel name | | | | Communities' licence No | | | | Canadian licence No | | | | Date | | | Noon position (GMT) | | | | | | | | | | | |
| Side No | | | | | | | | | | | | Day | | | Month | | | Year | | | Latitude | | Longitude | | NAFO division 09 | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Time tow began (GMT) | Time tow finished (GMT) | Hours fished | Depth (metres) | Position at start of tow | | | Type of gear | Number of nets or lines used | Mesh size | Catch by species (kilograms - round weight) | | | | | | | | | | | | |
|--|-------------------------|--------------|----------------|--------------------------|-----------|---------------|--------------|------------------------------|-----------|---|-----------|--------------------|-------------------------|---------------|----------------------------|---------------|---------------|-------------|--|--|--|--|
| | | | | Latitude | Longitude | NAFO division | | | | | Cod (101) | Redfish (103) | Greenland halibut (118) | Halibut (120) | Round-nose grenadier (168) | Catfish (188) | Capelin (340) | Prawn (639) | | | | |
| | | | | | | | | | | Kept | | | | | | | | | | | | |
| | | | | | | | | | | Discarded | | | | | | | | | | | | |
| | | | | | | | | | | Kept | | | | | | | | | | | | |
| | | | | | | | | | | Discarded | | | | | | | | | | | | |
| | | | | | | | | | | Kept | | | | | | | | | | | | |
| | | | | | | | | | | Discarded | | | | | | | | | | | | |
| | | | | | | | | | | Kept | | | | | | | | | | | | |
| | | | | | | | | | | Discarded | | | | | | | | | | | | |
| | | | | | | | | | | Kept | | | | | | | | | | | | |
| | | | | | | | | | | Discarded | | | | | | | | | | | | |
| | | | | | | | | | | Kept | | | | | | | | | | | | |
| | | | | | | | | | | Discarded | | | | | | | | | | | | |
| | | | | | | | | | | Kept | | | | | | | | | | | | |
| | | | | | | | | | | Discarded | | | | | | | | | | | | |
| | | | | Sub-total for day | | | | | | Kept | | | | | | | | | | | | |
| | | | | | | | | | | Discarded | | | | | | | | | | | | |
| | | | | Total for voyage | | | | | | Kept | | | | | | | | | | | | |
| | | | | | | | | | | Discarded | | | | | | | | | | | | |
| Round weight (kilograms) processed today for human consumption | | | | | | | | | | | | | | | | | | | | | | |
| Round weight (kilograms) processed today for reduction | | | | | | | | | | | | | | | | | | | | | | |
| Total | | | | | | | | | | | | | | | | | | | | | | |
| Remarks | | | | | | | | | | | | Master's signature | | | | | | | | | | |

ANNEX II

ANNEX III

1. The information to be transmitted to the Commission and the timetable for its transmission are as follows:

- 1.1. On each occasion the vessel enters the zone defined in Article 1 (1):

- (a) the information specified under point 1.4 below;
- (b) the quantity (in kg) of each species of fish in the hold;
- (c) when and where fishing is to commence.

In the event that the fishing operation requires repeated daily entries into the joint management zone, a single communication on first entering the zone will suffice.

- 1.2. On each occasion the vessel leaves the zone after a previous notice of leaving of at least 48 hours:

- (a) the information specified under point 1.4 below;
- (b) the quantity (in kg) of each species of fish in the hold;
- (c) the quantity (in kg) of each species caught since the previous transmission;
- (d) the quantity (in kg) of each species transhipped since the vessel entered the zone and the identification of the vessel of transshipment;
- (e) the quantity (in kg) of each species landed in a port of the Community since the vessel entered the zone;
- (f) the quantity (in kg) of discards specified by species since previous transmission.

In the event that the fishing operations require repeated daily exits from the joint management zone, a single communication on the last exit will suffice.

- 1.3. At weekly intervals, commencing on the seventh day after the vessel first enters the zone:

- (a) the information specified under point 1.4 below;
- (b) the quantity (in kg) of each species caught since the previous transmission.

- 1.4. (a) the name, call sign, identification numbers and letters of the vessel, and the name of the master;

- (b) the licence number if the vessel is licensed to fish;
- (c) the serial number of the message;
- (d) identification of the type of message;
- (e) the date, the time and the geographical position of the vessel.

- 2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex address 24189 FISEU-B) via one of the radio stations listed under point 3 below and in the form specified under point 4.

- 2.2. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

3. Name of radio station

Prins Christians Sund
Julianehåb
Godthåb
Holsteinsborg
Godhavn

- Call sign of radio station

OZN
OXF
OXI
OYS
OZM

} Central Godthåb

4. Form of communications

The information specified under point 1 shall contain the following particulars, which shall be given in the following order:

- name of vessel;
- call sign;
- external identification letters and numbers;
- serial number of the message for the voyage in question;
- indication of the type of message according to the following code:
 - message — when entering the zone: 'IN',
 - message — when leaving the zone: 'OUT',
 - weekly message: 'WKL';
- the geographical position;
- the date on which fishing is expected to commence;
- the quantity (in kg) of each species of fish in the hold, using the code mentioned in point 5 below;
- the quantity (in kg) of each species discarded since the previous transmission using the code mentioned in point 5 below;
- the quantity (in kg) of each species transshipped since the previous transmission;
- the name and call sign of the vessel of transshipment;
- the quantity (in kg) of each species landed in a port of the Community since the previous transmission;
- the name of the master.

5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above:

- A. Deep-water prawn (*Pandalus borealis*),
 - C. Greenland halibut (*Reinhardtius hippoglossoides*),
 - D. Cod (*Gadus morhua*),
 - E. Haddock (*Melanogrammus aeglefinus*),
 - F. Halibut (*Hippoglossus hippoglossus*),
 - I. Round-nose grenadier (*Coryphaenoides rupestris*),
 - J. Saithe (*Pollachius virens*),
 - K. Whiting (*Merlangus merlangus*),
 - R. Other.
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